

DT09 Rec'd PCT/PTO 10/505251 19 AUG 2004

Attorney Docket No.: 102790-179/30019 US/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO. : To Be Assigned
APPLICANTS : Eva BINGGELI et al
FILED : August 12, 2004
FOR : BRASSICA SEEDS
ART UNIT : To Be Assigned
EXAMINER : To Be Assigned

August 19, 2004

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

I. Timeliness, Fees and Certifications in lieu of Fees

This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

II. Copies of Listed References

Copies of all references listed on the attached Form PTO-1449 are being supplied.
(Copies of U.S. patents are not included pursuant to Pre-OG Notice dated July 11, 2003.)

III. Concise Statement of Relevance

All references listed on the attached Form PTO-1449 were cited in the International Search Report of PCT/CH03/00142 dated August 1, 2003, and an English-language version of that search report, which indicates the degree of relevance found by the International Searching Authority, is attached.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By Andrew N. Parfomak
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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the foregoing Information Disclosure Statement and the accompanying Form PTO-1449 (1 Sheet), the International Search Report for PCT/CH03/00142 dated August 1, 2003, and two (2) references are being deposited with the United States Postal Service as Express Mail under Label No. EV 068571902 US in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Date: August 19, 2004

By Kimberly Brittingham
Kimberly Brittingham

10/505251

Sheet 1 of 1

LIST OF PATENTS AND PUBLICATIONS APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Form PTO-1449)				Attorney Docket: 102790-179		Serial No.: To Be Assigned	
				Applicant: Eva BINGGELI et al		Examiner: To Be Assigned	
				Filing Date: August 19, 2004		Group: To Be Assigned	
U.S. PATENT DOCUMENTS <i>DT09 Rec'd PCT/PTO 19 AUG 2004</i>							
Examiner's Initial		Document Number	Date	Name	Class	Sub Class	Filing Date If appropriate
		3,574,640 A	13 Apr. 1971	Dougherty, Jr.	99	140	
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes No
		WO 03 041515 A	22 May 2003	WIPO	A23L	1/36	
		WO 96 38056 A	05 Dec. 1996	WIPO	A23L	1/225	*1
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
		International Search Report for PCT/CH03/00142 dated 1 August 2003					
EXAMINER:					DATE CONSIDERED:		
• EXAMINER: Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformation and not considered, include copy of this form with next communication to applicant.							

*1 English language abstract only of correspondent FR 2734689 only